

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRONTIER AIRLINES, INC.,

Plaintiff,

-v-

AMCK AVIATION HOLDINGS IRELAND LTD. ET AL.,

Defendants.

22 Civ. 2943 (PAE)

ORDER

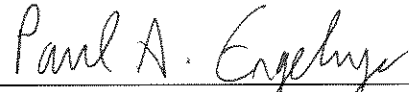
PAUL A. ENGELMAYER, District Judge:

The Court has reviewed counsels' informative and thoughtful joint letter, Dkt. 127, and the exhibits to it, Dkt. 127, Exs. A–C. The Court commends counsel on reaching agreement on the text of a proposed guaranty, *see* Dkt. 127, Ex. A, and on reaching substantial agreement on the terms of a proposed court order, subject to two discrete areas of disagreement.

The Court's intention is—tomorrow, August 17—to execute and issue defendants' proposed order, *see* Dkt. 127, Ex. B. As to the first issue that plaintiff Frontier Airlines, Inc., raises, relating to the payment of certain expenses, there is no need to resolve that issue coincident with the Court's order. If the parties are unable to resolve that issue, the Court will be open, prior to the closure of this case, to resolving it, presumably based on competing letter submissions from counsel. As to the second issue, Frontier has long known that to secure withdrawal of the notices of default, it would be required to execute the Transaction Documents at issue. Frontier should by now have given careful attention to the practicalities of doing so. Frontier has further known since last week's conference that the Court was poised to approve the guaranty substantially as proposed by defendants and to issue a corresponding order setting a prompt deadline for Frontier to execute the Transaction Documents. The Court's execution of

the order tomorrow will result in Frontier having had 21 days from last week's conference to execute the Transaction Documents. In the Court's view, that gives Frontier amply sufficient time to discharge this obligation.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer", is positioned above a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: August 16, 2023
New York, New York